IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.20955 of 2008
SARAT CHANDRA @ VIJAY KUMAR
Versus
STATE OF BIHAR & ANR
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3 **18.09.2008** Heard learned counsels for the petitioner, the State and the opposite party no.2.

Petitioner is an accused in a case registered for the offence under sections 498(A) and 323 of the Indian Penal Code.

It has been submitted on behalf of the petitioner that the present complaint has been filed at the behest of the family members of the complainant in retaliation of the suit filed by the petitioner for restitution of his conjugal rights. It is further submitted that during the pendency of this application both sides are going to amicably settle the dispute, and as such, the petitioner is willing to bring back the complainant to her matrimonial home and will keep and maintain her in a dignified manner as a legally wedded wife.

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Learned counsel appearing for the opposite party no.2-Complainant, submits that the complainant has got two grow-up children and she is also willing to live with the petitioner provided the petitioner behaves in a dignified manner with her and her children.

Having considered the submissions, as noticed above, and in the facts and circumstances of the case, it is

directed that in the event of arrest or surrender within a period of four weeks from today, the petitioner, namely, Sarat Chandra @ Vijay Kumar be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Gaya, in connection with Complaint Case No. 1387 of 2007 subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

As promised by the petitioner, which is noticed above, he will go and bring back the complainant with him to his house within a period of two weeks from today and will keep and maintain her & her children in a dignified manner. In case the petitioner fails to keep his promise, it will be open for the complainant to take steps for cancellation of his bail on reasonable grounds.

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Manish/- **(Shailesh Kumar Sinha,J.)**